



DEPARTMENT OF THE TREASURY EXECUTIVE OFFICE FOR ASSET FORFEITURE

INSTRUCTIONS FOR CONTROLLED EQUIPMENT JUSTIFICATION LETTER

In order to use Department of the Treasury equitable sharing funds to purchase Controlled Equipment Pursuant to Executive Order 13688 (January 2015) and the Recommendations Pursuant to Executive Order 13688 (May 2015), the law enforcement agency must attach a Justification Letter to the purchase request. This letter must be on the law enforcement agency's letterhead and it must address all 11 elements listed below. Applicants shall not obligate or spend any equitable sharing funds until approval has been granted by the Department of the Treasury Executive Office for Asset Forfeiture.

A general description of the requesting agency, including number of sworn officers and population of the community the agency serves.

1. A detailed justification for supporting the controlled project and/or acquiring the controlled items, including a clear and persuasive explanation of the need for and appropriate criminal justice purpose that it will serve. (If applicable, please describe any previous instance in which the controlled item was used in a manner that deviated from the detailed justification supporting the application for that equipment.);
2. The number of units of the requested controlled item(s) that are currently in your agency's inventory;
3. Categories of other controlled equipment acquired through Federal programs during the past three (3) years that the requesting agency currently has in its inventory;
4. Whether the requested controlled equipment currently could reasonably be accessed through loans or mutual assistance or mutual aid agreements;
5. Certification (written assurance) that the requesting agency has adopted required protocols (see Recommendation 2.1: Agencies that acquire controlled equipment through Federal programs must adopt robust and specific written policies and protocols governing General Policing Standards and Specific Controlled Equipment Standards) or will adopt those protocols before physical acquisition or purchase of controlled equipment or transfer of funds;
6. Certification (written assurance) that the requesting agency has provided required training (see Recommendation 2.2: Agencies that acquire controlled equipment through Federal programs must ensure that its personnel are appropriately trained and that

training meets the specified requirements) or will provide that training before physical acquisition or purchase of controlled equipment or transfer of funds;

7. Evidence of civilian governing body's review and approval or concurrence (if the agency's Chief Law Enforcement Officer is not an elected official) of the requesting agency's acquisition of the requested controlled equipment. If the agency's Chief Law Enforcement Officer is an elected official (e.g., Sheriff), the agency must provide official notice (at least 30 days prior to purchase) to, but is not required to obtain approval from, its civilian governing body.
8. Whether the requesting agency has applied, or has a pending application(s), for this type of controlled equipment from another Federal agency during the current fiscal year;
9. Whether any prior application for controlled equipment has been denied by a Federal agency during the past three (3) years, and, if so, the reason for the denial; and
10. Whether the requesting agency has been found to be in violation of a Federal civil rights statute or programmatic term during the past three (3) years and, if so, whether any disposition was reached or corrective actions were taken.

Please submit the Controlled Equipment Request Form and Justification Letter to the Department of the Treasury Executive Office for Asset Forfeiture treas.aca@treasury.gov.